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Voluntary Public

Date: 7/19/2013

GAIN Report Number: RS1349

Russian Federation

Post: Moscow

Draft CU Pre-Notification Requirement for Imports by Rail

Report Categories:

Trade Policy Monitoring

Sanitary/Phytosanitary/Food Safety

FAIRS Subject Report

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Report Highlights:

The Eurasian Economic Commission (EEC), which is the regulatory body of the Russia-Kazakhstan-Belarus Customs Union (CU), published a draft decision on its website, mandating pre-arrival submission of information about goods imported into the CU customs territory via railway two to four hours prior to the good's arrival. There is a public comment period ending August 20, 2013. Interested U.S. parties are encouraged to share their comments and concerns with USDA's enquiry point (us.spsenquiry@fas.usda.gov). The proposed date of entry into force of this new requirement is October 1, 2014.

As of the date of publication of this report, FAS/Moscow does not believe this measure has been notified to the World Trade Organization.

General Information:

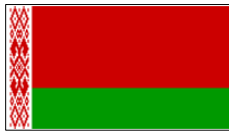
The Eurasian Economic Commission (EEC), which is the regulatory body of the Russia-Kazakhstan-Belarus Customs Union (CU), published a draft decision on its website, mandating pre-arrival submission of information about goods imported into the CU customs territory via railway two to four hours prior to the good's arrival. There is a public comment period ending August 20, 2013. Interested U.S. parties are encouraged to share their comments and concerns with USDA's enquiry point (us.spsenquiry@fas.usda.gov). The proposed date of entry into force of this new requirement is October 1, 2014.

A similar requirement for goods entering the CU by automobile transport has been in force since June 2012.

Unofficial English translation of the draft Decision of the Collegium of the Eurasian Economic Commission "[On Introduction of Pre-Arrival Submission of Information on Goods Imported to the Unified Customs Territory of the Customs Union by Railway Transport](#)" can be found below.

As of the date of publication of this report, FAS/Moscow does not believe this measure has been notified to the World Trade Organization.

BEGIN UNOFFICIAL TRANSLATION:



**EURASIAN ECONOMIC COMMISSION
COLLEGIUM**

D E C I S I O N

_____, 2013 **No.** Moscow

On the Introduction of Mandatory Submission of Preliminary Information about Goods Imported into the Unified Customs Territory of the Customs Union by Rail

In accordance with Article 3 of the Agreement on the submission and exchange of preliminary information about goods and vehicles crossing the customs border of the Customs Union of May 21, 2010, and in order to optimize and speed up customs operations, increase the efficiency of customs control, the Collegium of the Eurasian Economic Commission has decided:

1. Introduce mandatory submission of preliminary information about goods imported into the unified customs territory of the Customs Union by rail.
2. The carrier, including a customs carrier, importing goods by rail to the unified customs territory of the Customs Union (hereinafter - the carrier) must submit preliminary information at least 2

hours prior to their movement across the customs border of the Customs Union. Authorized economic operators, customs agents or other interested persons (hereinafter - the stakeholders) provide the information about the goods necessary to implement submission of preliminary information to the carrier of the Customs Union member-state (hereinafter - the member-state) where the destination of the goods, moving through the customs border of the Customs Union, is located (hereinafter - the destination), not less than 4 hours prior to their arrival. The carrier shall receive and consolidated the said information from stakeholders.

3. If the goods are supposed to be placed under the customs procedure of customs transit at destination, the following preliminary information shall be submitted:

- a) information about the sender, the recipient of the goods in accordance with the transport (shipping) documents;
- b) information about the country of origin, country of destination of goods;
- c) information on the declarant;
- d) information on the carrier;
- e) information on the vehicle of international transport, which transports the goods;
- f) name, quantity of goods in accordance with the commercial, transport (shipping) documents;
- g) value of goods in accordance with the commercial, transport (shipping) documents;
- h) code of goods under the Harmonized System of Commodity Description and Coding, or the Unified Commodity Nomenclature of Foreign Economic Activity of the Customs Union at the level of at least the first six digits;
- i) gross weight or volume, as well as the quantity of goods in additional units (if available) for each code of the Harmonized System of Commodity Description and Coding, or the Unified Commodity Nomenclature of Foreign Economic Activity of the Customs Union;
- j) number of packages;
- k) destination of the goods in accordance with the transport (shipping) documents;
- l) information about the documents confirming compliance with the restrictions associated with the movement of goods across the customs border of the Customs Union if such transfer is permitted (if such documents are available);
- m) information about the planned reloading of goods or cargo operations on the way;
- n) time of arrival;
- o) place of arrival.

4. In respect of goods transported in accordance with the customs procedure of customs transit from the customs body at the destination in the unified customs territory of the Customs Union to the customs body at the place of departure from the unified customs territory of the Customs Union, the submission of information specified in sub-paragraph "g" of paragraph 3 of this Decision is not required.

5. If the goods are not supposed to be placed under the customs procedure of customs transit at destination, the following preliminary information shall be submitted:

- a) name and address of the consignor;
- b) name and address of the consignee;
- c) name of the departure station and destination station of the goods;
- d) number of packages, types of packaging and labeling of goods;
- e) name and code of goods under the Harmonized System of Commodity Description and Coding, or the Unified Commodity Nomenclature of Foreign Economic Activity of the Customs Union at the level of at least the first 4 digits;
- f) gross weight of goods (in kilograms);
- g) identification numbers of containers;

- h) time of arrival;
- i) place of arrival.

6. Preliminary information required by paragraphs 3 - 5 of this Decision shall be submitted to the customs body of the member-state where the destination is located.

In the case of incompliance of preliminary information with the scope of information required by paragraphs 3 - 5 of this Decision, the structure and format, approved by the technical requirements, the person who submitted the preliminary information, shall be forwarded an electronic message about the non-acceptance of preliminary information for consideration with the reasons. Preliminary information in this case is considered to be non-submitted.

7. In the case of placement of goods under the customs procedure of customs transit at destination the preliminary information submitted in accordance with paragraphs 3 and 4 of this Decision, is used as an electronic copy of the transit declaration in the absence of differences between the preliminary information and the data contained in the commercial, transport (shipping) and (or) other documents.

8. A consignment of goods in respect of which preliminary information has not been submitted to the customs authority of the member-state to the extent and within the time limits specified in this Decision, belongs to the risk area. The customs authorities of the member-states shall take measures to minimize that risk, in accordance with the legislation of the member-states.

9. If preliminary information cannot be received by the customs body at destination for technical reasons, the customs operations in respect of the presented goods are held in accordance with the customs legislation of the Customs Union.

10. The State Customs Committee of the Republic of Belarus, the Customs Control Committee of the Ministry of Finance of the Republic of Kazakhstan and the Federal Customs Service shall, prior to September 1, 2014, finalize the information systems of the customs bodies with regard to:

receipt of preliminary information submitted in accordance with paragraphs 3 - 5 of this Decision;

the use of preliminary information in accordance with paragraph 7 of this Decision.

11. Ministries of Foreign Affairs of the member-states shall, before October 1, 2013, notify the neighboring states on the procedure of entry into force of this Decision.

12. This Decision shall enter into force on October 1, 2014, with the exception of paragraphs 10 and 11. Paragraphs 10 and 11 of this Decision shall enter into force 30 days from the date of its official publication.

Chairman
Of the Eurasian Economic Commission V.B. Khristenko

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